

**MINUTES**  
**STATE ELECTION BOARD MEETING**  
**Professional Licensing Division**  
**Building B Exam Room**  
**Macon, GA 31217**  
**Wednesday, February 5, 2014 – 9:30 AM**

Due notice having been given for the State Election Board Meeting pursuant to O.C.G.A. § 50-14-1 et seq.

**MEMBERS IN ATTENDANCE**

Brian P. Kemp, Chairman  
Rusty Simpson  
Rebecca Sullivan  
Tex McIver  
David Worley

**I. CALL TO ORDER**

Chairman Kemp called the State Election Board (SEB) Meeting to order at approximately 9:30 a.m. A quorum was established with five board members in attendance. Tex McIver led everyone in the Pledge of Allegiance and Invocation.

Chairman Kemp called for the next order of business: Public comment.

**II. PUBLIC COMMENTS**

There was one public speaker: Nancy Stephens.

The next order of business to be discussed on the agenda would be the approval of minutes.

**III. APPROVAL OF MINUTES**

September 24, 2013 Minutes: David Worley made a motion to approve the minutes, Tex McIver seconded; the motion passed unanimously 5 – 0.

December 5, 2013: Tex McIver made a motion to approve the minutes, David Worley seconded; the motion passed unanimously 5 – 0.

Chairman Kemp called for the next order of business: Consent Cases

**IV. INVESTIGATIONS REPORT (C. Harvey)**

**Consent Cases**

Chairman Kemp asked if any of the listed Consent Cases wanted to be pulled and heard individually; otherwise he would request a motion to dismiss. Rusty Simpson made a motion to dismiss all consent cases, Rebecca Sullivan seconded the motion; the motion passed unanimously 5-0.

Chairman Kemp proceeded to the next portion of the Inspector General's Report: New Cases. He conducted roll call in order to address first the cases for which individuals were present.

**New Cases**

- A. SEB Case No. 2012-000103 Sumter County** – Chris Harvey presented this case and recommended that the case be bound over to the Attorney General's Office.

Public speaker was Robert Brady, Elections Supervisor for Sumter County.

Tex McIver made a motion to issue a letter of instruction. Rusty Simpson seconded; the motion passed 5-0.

At 9:58 Secretary Kemp left the meeting, and appointed Tex McIver to head the meeting in his absence. He would return shortly.

- B. SEB Case No. 2012-000087 Johnson County** – Chris Harvey presented this case and recommended the case be bound over to the Attorney General's office. Some listed respondents, investigation, were to be dismissed.

Public speakers were Matthew L. Waters, who spoke on behalf of Johnson County and Daniel Holland, husband of one of the respondents and Debbie Killingsworth.

Rebecca Sullivan made a motion to dismiss the case against Lecy Hutcheson, Hiram Johnson, Stacy Johnson, and Letitia Holland. Rusty Simpson seconded; the motion passed 4-0.

David Worley made a motion to bind the remaining respondents: Johnson County Elections and Registration, Debbie Killingsworth, Monica Roberts, Jerroneey Darrisaw, Berenda Darrisaw to the Attorney General's office. Rebecca Sullivan seconded; the motion passed 4-0.

- C. SEB Case No. 2012-000137 Irwin County** – Chris Harvey presented this case and recommended issuing letters of instruction.

Public speakers included Tony Sawyer, Attorney for Ben Hill, Cindy Dunlap, Elections Supervisor, and Poll Manager Melody Hannah. Documents were presented to the board on layouts of precincts for review.

Rebecca Sullivan made a motion to dismiss the case against the Ben Hill Board of Elections and Cindy Dunlap. David Worley seconded; and the motion passed unanimously, 4-0.

- D. SEB Case No. 2012-000147 Ben Hill County** – Chris Harvey presented this case and recommended a letter of instruction.

Public speakers included Tony Sawyer, Attorney for Ben Hill.

Rusty Simpson made a motion to issue a letter of instruction. David Worley; the motion passed unanimously, 4-0.

- E. SEB Case No. 2012-000140 Sumter County** – Chris Harvey presented this case and recommended issuing a letter of instruction.

Public speaker was Thomas Ezell, Jr.

Rusty Simpson made a motion to dismiss the case. David Worley seconded; the motion passed unanimously, 4-0.

- F. SEB Case No. 2012-000138 City of Zebulon** – Chris Harvey presented this case and recommended issuing a letter of instruction.

Public speakers were Thomas H. Morton, attorney representing the City of Zebulon; in addition to Mike Beres, Mayor of Zebulon.

Rebecca Sullivan made a motion to issue a letter of instruction to the City of Zebulon. David Worley seconded; the motion passed 3-1 with Rusty Simpson voting in opposition.

- G. SEB Case No. 2012-000195 Bleckley County** – Chris Harvey presented this case and recommended issuing a letter of instruction to Elizabeth Cummings and all other respondents be bound over to the Attorney General's office.

Public speakers were Elizabeth Cummings and Dorothy Beth Taylor. Glennis Douglas, Bleckley County Chief Registrar, and Sheryl Yates spoke as well.

Rusty Simpson made a motion to dismiss the case against Elizabeth Cummings and bind over the remaining respondents to the Attorney General's office. David Worley seconded; the motion passed unanimously, 4-0.

At approximately 11:33 a.m. Secretary Kemp returned to the meeting.

- H. SEB Case No. 2013-0002 Candler County** – Chris Harvey presented this case and recommended referring the case to the Attorney General's office.

Public speaker was Cary Bird, respondent.

Sentence document containing information on Cary Bird was presented to the Board by Chris Harvey.

Rusty Simpson made a motion to dismiss the case against Cary Bird. David Worley seconded; the motion passed unanimously, 4-0.

## **V. EXECUTIVE SESSION AND/OR BREAK**

At approximately 12:00 p.m., Tex McIver made a motion to break for Executive Session, David Worley seconded; the motion passed unanimously, 5 – 0.

At approximately 1:08 p.m., Secretary Kemp reconvened the meeting and call for the continuation of the Inspector General's report.

## **VI. INVESTIGATIONS REPORT (Continued)**

- I. SEB Case No. 2012-000187 Crawford County** – Chris Harvey presented the case and recommended binding the case to the Attorney General's office.

Public speakers were Gary Claxton, Brenda Peacock, and Thomas Wallace.

Rusty Simpson made a motion to dismiss the case against Gary Claxton. David Worley seconded; the motion passed unanimously, 5-0.

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David Worley made a motion to bind the case of Thomas Wallace to the Attorney General's office. Rebecca Sullivan seconded; the motion passed unanimously 5-0.

- J. SEB Case No. 2012-000123 Early County** – Chris Harvey presented this case and recommended referring the case to the Attorney General's office.

Public speaker was Judge Tonya Holly, respondent.

Rebecca Sullivan presented a motion to bind the case to the Attorney General's office, David Worley seconded; the motion passed unanimously 5-0.

- K. SEB Case No. 2012-000165 Lincoln County** – Chris Harvey presented this case and recommended referring the case to the Attorney General's office.

Public speakers were Benjamin Jackson and Lavinda Bolton.

David Worley made a motion to bind the case of Sylvester Wright and Margaret Hawes to the Attorney General's office. Tex McIver seconded; the motion passed unanimously, 5-0.

Tex McIver made a motion to bind the case of Lilvender Bolton to the Attorney General's office. Rusty Simpson seconded; the motion passed 3-2 with David Worley and Secretary Kemp voting in opposition.

- L. SEB Case No. 2010-000115 McIntosh County** – Chris Harvey presented this case and made a motion to bind the case to the Attorney General's office.

Tex McIver made a motion to bind the case to the Attorney General's office. Rusty Simpson seconded; the motion passed unanimously, 5-0.

- M. SEB Case No. 2012-000121 Putnam County** – Tex McIver asked to recuse himself due to the nature of the case. Chris Harvey presented this case and recommended issuing letters of instruction to Rosa Herring and Robin and William Rainey. He also recommended binding the case of Dorothy Adams and Karen Schornhorst to the Attorney General's office.

Public speakers were Gary Sanders and Janie Reed.

Rusty Simpson made a motion to issue a letter of instruction to Rosa Herring and to bind the additional respondents to the Attorney General's office. David Worley seconded; the motion passed 4-0.

At approximately 2:10 p.m. Secretary Kemp called for a brief ten minute recess.

- N. SEB Case No. 2012-000076 Atkinson County** – Chris Harvey presented this case and recommended issuing a letter of instruction to Stacy Gillis and all other respondents to be bound to the Attorney General's Office.

There were no public speakers.

Rebecca Sullivan made a motion to issue a letter of instruction to Stacey Gillis and to bind the remaining respondents to the Attorney General's office. Tex McIver seconded, the motion passed unanimously, 5-0.

- O. SEB Case No. 2010-000060 Stewart County** – Chris Harvey presented this case and recommended dismissing the case against the respondent William Nelson and binding all additional respondents to the Attorney General's office.

There were no public speakers.

Secretary Kemp made a motion to issue a letter of instruction to William Nelson, Rebecca Sullivan seconded; the motion passed unanimously, 5-0.

Secretary Kemp made a motion to bind over all additional respondents. Rusty Simpson seconded; the motion passed unanimously, 5-0.

At approximately 2:20 p.m. Tex McIver left the meeting due to a prior commitment and would not be returning.

- P. SEB Case No. 2012-00081 Berrien County** – Chris Harvey presented this case and recommended that a letter of instruction be issued.

There were no public speakers.

David Worley made a motion to issue a letter of instruction. Rebecca Sullivan seconded; the motion passed 4-0.

- Q. SEB Case No. 2012-000136 Peach County** – Chris Harvey presented this case and recommended issuing a letter of instruction to respondent Michael Caldwell and binding the additional respondents over to the Attorney General's office.

There were no public speakers.

Rusty Simpson made a motion to issue a letter of instruction to Michael Caldwell and to bind the cases of Quinatrius Everett and Marvin Crafter to the Attorney General's office. David Worley seconded; the motion passed 4-0.

- R. SEB Case No. 2012-000139 Jefferson Davis** – Chris Harvey presented this case and recommended that the case be referred to the Attorney General's office.

There were no public speakers.

David Worley made a motion to bind the case over to the Attorney General's office, Rebecca Sullivan seconded; the motion passed unanimously 4-0.

- S. SEB Case No. 2012-000191 Bibb County** – Chris Harvey presented this case and recommended issuing a letter of instruction to the respondent.

There were no public speakers.

Rusty Simpson made a motion to bind the case to the Attorney General's office, David Worley seconded; the motion passed 4-0.

- T. SEB Case No. 2012-000126 Peach County** – Chris Harvey presented this case and recommended binding the case over to the Attorney General's office.

There were no public speakers.

Rebecca Sullivan made a motion to bind the case to the Attorney General's office, David Worley seconded; the motion passed 4-0.

Chairman Kemp called for the next order of business the Attorney General's Report.

**I. ATTORNEY GENERAL REPORT**

Russ Willard asked to pull the City of Eastman Consent Case from the agenda at the request of the Attorney General's office.

Rusty Simpson made a motion to accept the Attorney General's proposed resolution on all remaining consent cases, which included the following:

SEB Case No. 2012-0040	Hancock County
SEB Case No. 2010-0083	Montgomery County
SEB Case No. 2011-0108	City of Pelham

David Worley seconded; the motion passed unanimously, 4-0

**II. ADJOURNMENT**

Chairman Kemp commended the Board, staff and investigators for their work.

Rebecca Sullivan made a motion to adjourn the meeting, David Worley seconded; the motion passed unanimously, 4 - 0. Being no further business, the meeting was adjourned at approximately 2:40 p.m.

**STATE ELECTION BOARD**

**APPROVED BY:**

**DATE:**

B. Ph  
6-10-14